REMARKS

Re-examination and allowance of the above-captioned application is respectfully requested in view of the present submission of claims and remarks.

Discussion Of January 16, 2007 Personal Interview

Applicant thanks Supervisory Patent Examiner (SPE) Alexander Kalinowski for meeting with his U.S. representatives Arnold Turk and Steven Wegman on January 16, 2007 to discuss the present application. During the interview, Examiner Kalinowski confirmed that Examiner Campen is currently on leave from the U.S Patent and Trademark Office, and that he would re-assign this application to Examiner Hani Kazimi to continue the examination process.

The 35 U.S.C. §101 and 35 U.S.C. §102(e) rejections set forth in the Final Office Action were discussed. Examiner Kalinowski agreed to withdraw the 35 U.S.C. §101 rejection, noting that the rejection is erroneous in view of current examination practice. With regard to the 35 U.S.C. §102(e) rejection, Applicant's representatives noted that U.S. Patent 6,047,270 to JOAO et al. does not appear to be a valid prior art reference. Specifically, Applicant's representatives pointed out that the continuity data indicating an effective filing date of August 8, 1996 printed on the face of the '270 patent appears to be in error, and that the actual effective filing date of the '270 patent is August 25, 1997, which is later than Applicant's earliest filing date of June 5, 1996. It was also noted that an examination of the Patent Office's PAIR system confirms that there is no continuity data for the '270 patent. Further, it was noted by Applicant's representatives that it is not proper to base a priority claim on a later filed application, and therefore the '270 patent (filed on August 25, 1997) would not appear to properly claim continuation-in-part status from a later filed application (which was filed October 9, 1998). Examiner Kalinowski reviewed the filing date data of the '270 patent and indicated that the

'270 patent does not appear to be a valid prior art reference, and thus, the 35 U.S.C. §102 rejection would be withdrawn.

In view of the above, it was indicated at the interview that the claims in the application prior to the present submission would be allowable over the art of record. However, proposed independent claims were also discussed with Examiner Kalinowski that are drafted to even more clearly define the present invention, and the Examiner indicated that these claims can be submitted for examination. Because the present Office Action does not state an apparently proper basis for rejection, the Examiner indicated that the proposed claims could be submitted as a response to the Final Office Action or as part of a submission with a Request for Continued Examination (RCE). Applicant's representatives indicated that to advance prosecution of the application, the proposed claims would be presented as part of an RCE submission and the previously pending claims canceled. The Examiner indicated that this would be acceptable, and the submission would be entered, and the claims examined.

Discussion

By the current submission, new independent claims 200, 201 and 225 as discussed with the Examiner during the above-noted interview, are submitted for the Examiner's consideration that are submitted to be allowable over the art of record. Independent claim 200 is directed to blocking a communication device of a user when it is determined that a user that has issued a request for a transaction has negative information. Independent claim 201 specifies that information associated with a user that requests a transaction is compared to data stored in a database containing a list of users having negative information, billing information associated with the user is obtained when the user passes the comparison, and thereafter the requested transaction is performed. Independent claim 225 specifies that information associated with a user is obtained and compared with information stored in a

database, billing information associated with the user is requested when the received information associated with the user passes the comparison with the information stored in the database, and thereafter a communication between the user and a service is established. Applicant submits that none of the art of record discloses or suggests the combination of features recited in the claims.

Applicant additionally submits new dependent claims 202-224 and 226-240 that further clarify the inventions defined in the independent claims. Applicant submits that the newly submitted dependent claims are allowable for the same reasons applicable to their respective independent claim, and additionally, for the combination of features recited by each claim.

Applicant notes that support for the claims is included in the originally filed claims as well as throughout the specification and the parent applications as incorporated by reference therein.

As discussed above, the Examiner has indicated that the 35 U.S.C. § 101 rejection and the rejection under 35 U.S.C. § 102(e) are not appropriate, and would be withdrawn. Moreover, these rejections are not applicable to the claims as presently presented herein, because as noted by the Examiner during the above-noted interview, the 35 U.S.C. § 101 rejection is not applicable, and the '270 patent is not prior art to the claimed subject matter.

Accordingly, the rejections of record should be withdrawn, and the newly-presented claims indicated to be allowable over the prior art of record.

Information Disclosure Statement

Applicant is submitting on even date herewith an Information Disclosure Statement. The Examiner is requested to indicate consideration of the information cited therein by including an initialed copy of the Form PTO-1449 submitted therewith with the next communication from the Patent and Trademark Office.

SUMMARY AND CONCLUSION

Applicant submits that none of the prior art of record, either singularly or in combination teaches or suggests the combination of features recited in the various claims submitted herein for the Examiner's consideration. In view of the fact that none of the prior art of record, whether considered alone or in combination, discloses or suggests the present invention as defined by the pending claims, and in further view of the above remarks, reconsideration of the Examiner's action and allowance of the present application is respectfully requested and is believed to be appropriate.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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